

## REMARKS

Claims 37-54 and 56-70 are pending in the present Application. Claim 50 has been canceled. Claims 37, 48, 51-54 and 62 have been amended.

Claims 37, 48 and 62 have been amended to specify that the desired dielectric is a single phase dielectric. One skilled in the art reading the Specification would clearly understand that the dielectric of the present invention is a “single phase”. In particular, support for this is found in the Specification at page 38, line 23 to page 40, line 28, and in the Examples. Specifically, the present dielectric is chosen from crystalline and amorphous. See page 38, line 25. Claim 48 has also been amended to incorporate limitations from claims 50 and 53. Claim 51 has been amended so that it does not depend from a now canceled claim.

Claim 62 has also been amended to specify that the first metal layer is release-able. This is supported by claim 62 as originally filed.

Claims 37-45, 47-52, 56-59, 63 and 70 have been rejected under 35 USC § 102(e) as being anticipated by Saegusa et al. (U.S. 6,156,743). Applicants respectfully traverse.

Saegusa et al. disclose only a *two-phase* dielectric material. For example, see column 2, lines 54-57, which state “[t]he present invention provides glass-ceramics which are superior in insulation, exhibit the characteristics of the crystal phase of high dielectric constant and have a dense structure at lower temperatures than crystal phase alone. . .” [Emphasis added.] See also column 11, lines 13-14 which state that the “thus obtained powders comprise a mixture of many precipitated fine single crystals *and* the glass component.” [Emphasis added.]

In contrast to the Saegusa patent, Applicants’ invention is directed to a structure including a single phase dielectric material. In particular, see the Specification at page 38, line 25, which states that the dielectric is chosen from crystalline and amorphous. Thus, Applicants’ invention does not contain the dual phase dielectric (glass *and* ceramic) of Saegusa. Accordingly, the present invention is not anticipated by Saegusa et al. and Applicants respectfully request that this rejection be withdrawn.

Claims 48 and 62 have been rejected under 35 USC § 102(b) as being anticipated by Gorowitz et al. (U.S. 5,576,925). Applicants respectfully traverse.

The Gorowitz patent is directed to capacitors having a flexible substrate and at least two electrode layers mounted on the substrate alternately with at least one dielectric layer. See column 2, lines 59-63. The metal layers comprising electrode materials are 100 to 1000 angstroms, i.e. 0.01 to 1 microns. See column 5, lines 1-9.

Applicants' claim 48 requires a first metal layer that is a metal foil having a thickness of about 12 to about 110 microns. Such thickness is not disclosed at all in the Gorowitz patent. Applicants' claim 62 requires that the first metal layer is release-able. Such release-able metal layer is not disclosed in Gorowitz et al. Thus, the Gorowitz patent does not anticipate the present invention and Applicants respectfully request that this rejection be withdrawn.

Claims 46, 53, 60 and 69 have been rejected under 35 USC § 103(a) as being unpatentable over Saegusa et al. Applicants respectfully traverse.

The Saegusa et al. patent is discussed above. Saegusa et al. only disclose a dual phase dielectric material, i.e. glass-ceramic dielectric material. At column 2, lines 54-57, the Saegusa patent clearly teaches that such dual phase dielectrics are superior to dielectrics having a "crystal phase alone." Thus, this patent teaches away from a dielectric having a single phase. Nothing in this patent teaches nor suggests a single phase dielectric. Accordingly, Applicants respectfully submit that the Examiner has not made out a prima facie case of obviousness and respectfully request that this rejection be withdrawn.

Claims 54 and 63-68 are rejected under 35 USC § 103(a) as being unpatentable over Gorowitz et al. Applicants respectfully traverse.

The Gorowitz et al. patent is discussed above. Nothing in this patent teaches or suggests metal foils having a thickness of about 12 to about 110 microns as required by Applicants' claim 48, from which claim 54 depends. In fact, Applicants' claimed thickness is an order of magnitude greater than that disclosed by Gorowitz et al. Further, there is nothing in the

Gorowitz et al. patent that teaches nor suggests a flexible and *release-able* first metal layer, as required by Applicant's claim 62, from which claims 63-68 depend. Accordingly, Applicants submit that the Examiner has not made out a prima facie case of obviousness and respectfully request that this rejection be withdrawn.

In view of the foregoing, Applicants respectfully request favorable reconsideration in the form of a notice of allowance.

Respectfully submitted,



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